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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,005	01/16/2002	Maria Azua Himmel	AUS920010335US1	6345

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EXAMINER

GARY, ERIKA A

ART UNIT PAPER NUMBER

2681

DATE MAILED: 12/08/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/047,005

Applicant(s)

HIMMEL ET AL.

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>6/2/03; 5/29/02</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 1 and 18 are objected to because of the following informalities: wireless electronic device should be changed to mobile electronic device to be consistent throughout the claims. Further regarding claim 18, "the given environment" should be "a given environment". Appropriate correction is required.

Claim 8 is objected to because of the following informalities: "system" should be deleted. Appropriate correction is required.

Claims 16 and 32 are objected to because of the following informalities: "the list" should be "a list". Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Anttila et al., US Patent Number 6,721,542 (hereinafter Anttila).

Regarding claims 1 and 18, Anttila discloses a method (and computer program product) for controlling and enhancing the use of mobile electronic devices within a given environment, comprising: transmitting a wireless control message within the given environment from a central control computer; establishing a wireless communication link between the control computer and a mobile electronic device upon the mobile electronic device entering the environment and receiving the control message; communicating instructions from the central control computer to the mobile electronic device to disable one or more features within the mobile electronic device to provide the mobile electronic device with access to one or more features associated with the central control computer [fig. 4; col. 5: lines 24-39; col. 6: lines 58-65].

Regarding claims 2 and 19, Anttila discloses the one or more features associated with the central control computer are selected from a wireless transceiver, a global positioning system, antenna, speaker, microphone, printer, display screen, keyboard, voice response, databases, spreadsheets, computer games, video games, processing power, word processing, maps, directions or combinations thereof [col. 7: lines 11-14].

Regarding claims 3 and 20, Anttila discloses the one or more features associated with the central control computer are substitutes for the one or more disabled features within the wireless electronic device [col. 6: lines 55-61].

Regarding claims 4 and 21, Anttila discloses the one or more features associated with the central control computer are enhancements to the mobile electronic device, wherein the enhancements provide one or more features not possessed by the mobile electronic device [col. 7: lines 11-14].

Regarding claims 5 and 22, Anttila discloses the features within the mobile electronic device are selected from keypad, keyboard, display, speaker, microphone, transceiver, joystick, memory, transmitter, receiver, electronic flash, drivers for peripheral devices, printer, scanner or combinations thereof [col. 6: lines 58-61].

Regarding claims 6 and 23, Anttila discloses the features within the mobile electronic device are selected from user input devices, user output device, transmitter, receiver, memory, transceiver, I/O controller, drivers for peripheral devices or combinations thereof [col. 6: lines 36-39].

Regarding claims 7 and 24, Anttila discloses the mobile electronic device is selected from a mobile telephone, a handheld personal computer, a personal organizer, a palmtop computer, a computerized notepad, a global positioning system, an electronic video game player, a video layer, an MP3 audio player, a personal digital assistant, digital camera, video recorders, audio recorders or combinations thereof [fig. 1: ref. 104].

Regarding claim 8, Anttila discloses the mobile electronic device has a wireless transceiver for transmitting and receiving wireless signals selected from radio frequency and infrared [fig. 3: ref. 314, 316].

Regarding claims 9 and 25, Anttila discloses the given environment is selected from aircraft, hospital, automobile, museum, library, movie theater, concert hall, stage theater, amusement park, taxi, train, restaurant, sports arena, shopping mall and office building [col. 6: lines 58-65].

Regarding claims 10 and 26, Anttila discloses the given environment is defined as the area in which the wireless control message transmission can be received by the mobile electronic device [col. 5: lines 24-26].

Regarding claims 11 and 27, Anttila discloses the wireless control message contains requests consisting of a request for information describing the mobile electronic device, a request to provide addresses for the features of the mobile electronic device, a request to provide an address for the mobile electronic device and combinations thereof [col. 5: lines 56-60; col. 9: lines 17-21 (the request is inherent as the mobile device is provoked to send the information after receiving the device ID)].

Regarding claims 12 and 28, Anttila discloses the address for the mobile electronic device is selected from a pre-assigned address or an address randomly generated by the mobile electronic device at the time the wireless control message is received by the mobile electronic device [col. 5: lines 59-60].

Regarding claims 13 and 29, Anttila discloses receiving the wireless control message by the mobile electronic device; interpreting the control message to be an identification request from the central control computer; and transmitting a wireless identification message to the central control computer, wherein the wireless identification message contains information describing the mobile electronic device, an address for the mobile electronic device, and an address for each of the features within the electronic device [col. 5: lines 56-60; col. 9: lines 17-21].

Regarding claims 14 and 30, Anttila discloses storing the address for the mobile electronic device, and the address for each of the features within the mobile electronic

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device; monitoring by the mobile electronic device for messages to the assigned address for the mobile electronic device; and monitoring by the central control computer for messages from the assigned address for the mobile electronic device [fig. 4].

Regarding claims 15 and 31, Anttila discloses each of the messages to and from the assigned address for the mobile electronic device comprised the address for the mobile electronic device, the address for the one or more features of the mobile electronic device, and instructions for the one or more features of the mobile electronic device to perform [col. 5: lines 56-60].

Regarding claims 16 and 32, Anttila discloses receiving a message from the mobile electronic device; comparing the address for the feature of the mobile electronic device contained in the message with a list of addresses for the features of the mobile electronic device included in the wireless identification message; and instructing a substitute feature of the central control computer to perform the instruction contained in the message [col. 6: lines 55-61].

Regarding claims 17 and 33, Anttila discloses displaying a menu of available features to the user; receiving a request to make available the feature to the user; and providing the requested feature to the user [col. 7: lines 11-14].

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mori et al., US Patent Number 6,128,485, disclose a movable communication system with a call-incoming prohibited area.

Park et al., US Patent Number 6,148,212, discloses cellular control of automobile electrical systems.

Steer, US Patent Number 6,643,517, discloses using location information for interference protection.

Beamish et al., US Patent Number 6,694,143, disclose using a local wireless network to control a device within range of the network.

Dutta, US Patent Number 6,760,581, discloses placing an incoming call on hold in prohibited areas.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 703-308-0123. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Hudspeth can be reached on 703-308-4825. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG
December 6, 2004


ERIK A. GARY
PRIMARY EXAMINER